

OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF ANNEXATION

I, GREG BELL, LIEUTENANT GOVERNOR OF THE STATE OF UTAH,
HEREBY CERTIFY THAT there has been filed in my office a notice of annexation from
CITY OF NORTH LOGAN, dated December 2nd, 2009, complying with Section 10-2425, Utah Code Annotated, 1953, as amended.

NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of annexation, referred to above, on file with the Office of the Lieutenant Governor pertaining to CITY OF NORTH LOGAN, located in Cache County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 21st day of December, 2009 at Salt Lake City, Utah.

QREG BELLLieutenant Governor

CITY OF NORTH LOGAN

CARY WATKINS, MAYOR

2076 NORTH 1200 EAST NORTH LOGAN, UTAH 84341 (435) 752-1310 FAX (435) 752-1357

JEFFREY M. JORGENSEN, P.E. CITY ADMINISTRATOR

Office of the Lt. Governor
Attn: Annexation Action
Utah State Capitol Complex
P.O. Box 142325
Salt Lake City, Utah 84114-2325

December 18, 2009

Notice of Impending Boundary Action

Dear Sir:

This is a notice of impending boundary action for North Logan City, Utah as required by State Code 76-1a-6.5 (3) in order to obtain certification from the Office of the Lt. Governor for a set of annexations to our municipality. Attached you will find the documentation relating to this annexation.

The City Council, on December 2, 2009 adopted North Logan Ordinance 09-10 in order to annex a set of three areas of land previously unincorporated and in Cache County. A certified copy of the ordinance is at Attachment 1). All of the areas were considered as unincorporated peninsulas. Area 1, when annexed, totally eliminates one unincorporated peninsula between North Logan and Hyde Park and contains no residences. Most of Area 1 is owned by Cache County. Area 2 reduces the size of an unincorporated peninsula between North Logan and Hyde Park and also contains no residences. Area 3 is the annexation of two lots in a subdivision, which subdivision was mostly already in North Logan and concurred with by Cache County. One of these two lots has a home on it and is the only parcel being annexed that has any residents. The annexation of these two lots also represents the reduction in size of an unincorporated peninsula between North Logan and Hyde Park. In both Areas 2 and 3, the property owners of the land in the remaining part of the unincorporated peninsulas expressed a negative interest in having their property annexed at this time. The City Council felt it was in the best interest of the city to not press for annexation of any property against the will of the owners at this time.

The annexation of all three areas was done using the requirements in State Code 10-2-418, Annexation of an Island or Peninsula without a Petition. All of the property owners in this annexation signed documents expressing their agreement with the annexation (Attachments 2A-2E). North Logan has provided for more than one-year most or all municipal-type service to all of the areas being annexed – specifically roads, police protection, fire protection, water and sewer services where there are developed buildings, and access to library services for residents living where there is the one home.

Due to fact that Area 1 includes land that is within 5,000 feet of the Logan Cache Airport's runway, and in accordance with State Code 10-2-402, North Logan City asked for and received concurrence from the Logan City Municipal Council for the annexation as evidenced by the Logan City Resolution 09-75 included herewith as attachment 3.

In addition to the documents included herewith, the City Council has adopted both an annexation plan and the resolution stating their intent to annex as required by state law. We have notified all neighboring entities and special districts including Cache County, Logan City, Hyde Park City, and the Hyde Park Cemetery District of this boundary action and have held the public hearings required by law for this action. If any other documents are needed for verification, please feel free to let me know and they can be sent as needed.

Copies of the three plats showing the areas being annexed are included as attachments 4A-4C. The original plats have been signed by 1) the licensed surveyor who prepared the plats, 2) by the Cache County Surveyor, and 3) by the North Logan Mayor and Recorder. The original, signed plats are currently in my possession.

As the City Administrator for North Logan City I certify that all requirements applicable to the boundary action have been met. We ask for your consideration in this matter and look forward to your certification of this boundary action.

Sincerely,

Jeffrey M. Jorgensen, P.E.

City Administrator/City Engineer

ORDINANCE NO. 09-10

ORDINANCE AMENDING THE CODE OF REVISED ORDINANCES OF NORTH LOGAN CITY, UTAH, ANNEXING SPECIFIC PROPERTY TO NORTH LOGAN CITY, UTAH

WHEREAS, all of the owners of certain real property described below, by written notice to the city, have expressed their desire to annex such real property to North Logan City, Utah, and

WHEREAS, said real property lies contiguous to the corporate boundaries of North Logan City, Utah; and

WHEREAS, all of said sections of real property are unincorporated peninsulas contiguous to the municipality with a population of far fewer than 800 residents; and

WHEREAS, North Logan City has provided most or all municipal-type service to all of said sections of real property – specifically roads, police protection, fire protection, water and sewer services where there are developed buildings, and access to library services for residents living where homes have been built; and

WHEREAS, North Logan City Council adopted, Resolution 08-10 on March 5, 2008, the City's most recent Annexation Policy Plan which includes the area to be annexed; said plan having been duly adopted and published in accordance with all applicable laws of the State of Utah; and

WHEREAS, North Logan City Council adopted Resolution 09-15 on October 7, 2009 in accordance with State Code 10-2-418 (2) (a) (i) stating the City's intent to annex said property; and

WHEREAS, the City of Logan, Utah adopted Resolution 09-75 consenting to the proposed annexation by North Logan City of land near the Logan-Cache Airport in accordance with State Code 10-2-402 due to the fact that part of the land to be annexed is within 5,000 feet of the center line of the runway for the airport; and

WHEREAS, North Logan City Council, on November 18, 2009, conducted a duly noticed public hearing, in accordance with State Code 10-2-418(2)(a)(iv). Said hearing was held with no objections to the proposed annexation having been received from the property owners; and

WHEREAS, the North Logan City Council has determined that it is the best interest of the city that not all of the unincorporated islands/peninsulas between North Logan City and Hyde Park City should be annexed at this time; and

WHEREAS, the North Logan City Council has determined that the referenced annexation will promote the general welfare of the City, and that such action will be in compliance with the Annexation Policy Plan previously adopted by the City.

NOW THEREFORE, pursuant to Section 10-2-418, Utah Code Un-Annotated 2009, North Logan City Council hereby adopts, passes and publishes the following:

BE IT ORDAINED BY THE NORTH LOGAN CITY COUNCIL, AS FOLLOWS:

AN ORDINANCE AMENDING THE CODE OF REVISED ORDINANCES OF NORTH LOGAN CITY, UTAH, ANNEXING SPECIFIC REAL PROPERTY TO NORTH LOGAN CITY, UTAH.

- 1. The real property more particularly described in Paragraph 2, below and as shown on the attached annexation map, is hereby annexed to North Logan City, Utah, and the corporate limits of North Logan City, Utah are hereby extended accordingly.
- 2. The Cache County tax identification number, the name of the owner thereof and acreage for the property comprised in the territory to be annexed is as follows:
 - a) The approximate 97 acres of land owned by Cache County centered at approximately 2850 N and 300 E including the land where the Eccles Ice Center is located (tax id # 04-058-0008, 04-058-0009, and 04-058-0032),
 - b) The four acres owned by BDM Ventura LLC dba Quality Auto Sales at 2828 N Main (tax id # 04-058-0030);
 - c) The ten acres owned by the Berger Trust at approximately 1050 to 1150 E 2800 N (tax id # 04-051-0023 plus the west parts of 04-051-0026 an 04-051-0028)
 - d) The 0.98acres in Lot 7 (owned by Daren & Emily Gehring) and the 1.89 acres in Lot 8 (owned by J. Clair & Karen O. Batty Trs) of the Verdant Vista Subdivision located at approximately 3200 N 1450 E (tax id# 04-182-0007 and 04-182-0008).
- 3. The zoning map of the City of North Logan shall be amended to include the real property described above in Paragraph 2 with the following zoning:
 - a) The approximate 97 acres of land owned by Cache County shall be zoned Forest-Recreation Zone (FR);
 - b) The four acres owned by BDM Ventura LLC shall be zoned General Commercial Zone (CG);
 - c) The ten acres plus owned by the Berger Trust shall be zoned Single Family Residential 20,000 sq. ft. Zone (R-1-20); and
 - d) Lots 7 and 8 of the Verdant Vista Subdivision shall be zoned Residential Estate -One Acre Zone (RE-1).
- 4. A certified copy of the Ordinance setting forth the property so annexed shall be filled by the City Recorder with the County Recorder of Cache County, Utah, and with the Office of the Lieutenant Governor of the State of Utah.
- 5. This Ordinance shall take effect immediately upon posting in the manner prescribed by law and the annexation shall become effective once the annexation has been certified by the Lieutenant Governor and recorded by the Cache County Recorder.

ENACTED AND ADOPTED by the North Logan City Council, Utah, this 2nd day of December, 2009.

NORTH LOGAN CITY

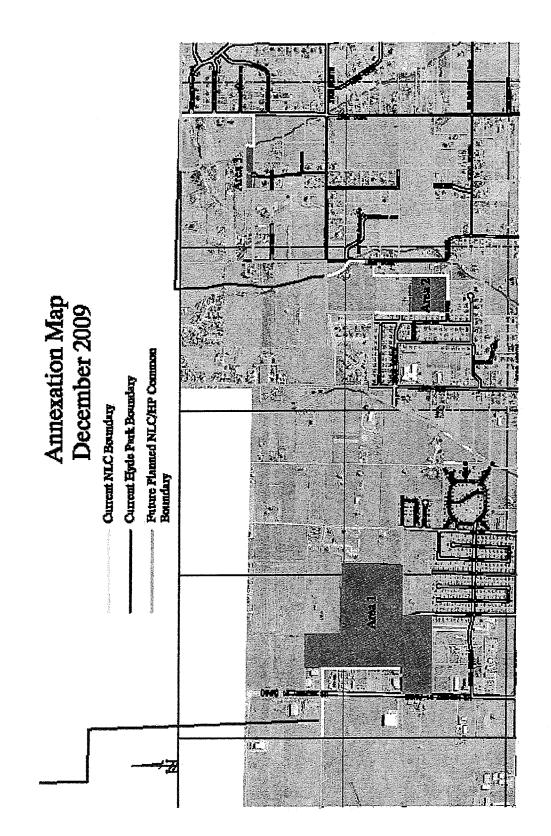
 $y = \frac{1}{2}$

Mayor/

ATTEST:

City Recorder

Attached – Annexation Map



Atch 1-4

CERTIFICATE OF DUE POSTING

I, Scott Bennett, City Recorder of North Logan City, Utah, hereby certify that I, on the 4th day of December, 2009, in the City of North Logan, Cache County, State of Utah, posted the foregoing Ordinance No. 09 – 10 in a likely manner, a copy of which is hereto attached, in each of three public places in the said City of North Logan, to-wit:

City Recorder

- 1. North Logan City Offices, 2076 North 1200 East
- 2. North Logan City Library, 475 East 2500 North
- 3. North Park Police Department, 2005 North 1200 East

WITNESS my hand this 4th day of December, 2009.

CERTIFICATION

STATE OF UTAH)	
	:	SS
County of Cache)	

I, Scott Bennett, the duly appointed and acting City Recorder of North Logan City, Utah, do hereby certify that the above and foregoing is a true, full and correct copy of the Ordinance No. 09-10, entitled "ORDINANCE AMENDING THE CODE OF REVISED ORDINANCES OF NORTH LOGAN CITY, UTAH, ANNEXING SPECIFIC PROPERTY TO NORTH LOGAN CITY, UTAH," adopted and passed by the of North Logan City Council Utah, at a regular meeting thereof on the ZMP day of DEE , which appears of record in my office.

Scott Bennett \ City Recorder

Atall-6

RESOLUTION NO. 2009-13

A RESOLUTION AGREEING TO PETITION THE CITY OF NORTH LOGAN TO ANNEX REAL PROPERTY OWNED BY CACHE COUNTY CORPORATION.

The County Council of Cache County, Utah in a regular meeting has been asked to petition the City of North Logan to annex property owned by Cache County Corporation as shown on Exhibit A attached and incorporated hereto (hereinafter referred as "County Property"); and

After consideration of the request from the City of North Logan and receiving comments and discussing the same the County Council now finds that it is in the best interests of Cache County Corporation to petition North Logan City to annex said County Property with the following Condition Precedent to the annexation of said property.

The petition will be submitted to North Logan City upon the written, legal, and binding agreement of North Logan City that when North Logan City decides to adjust the City of North Logan's City boundaries between the City of North Logan City and Hyde Park City, said boundary adjustment between the two cities will be approved by Cache County.

NOW THEREFORE BE IT RESOLVED, that the County Council finds that it is in the best interests of the public that a petition be submitted to the City of North Logan requesting the annexation of the County Property subject to the conditions set forth herein.

This resolution shall take effect immediately upon adoption

Dated this 14th day of April, 2009

CACHE COUNTY COUNCIL

H. Craig Petersen, Chairman

ATTEST:

By: Jill N. Zollinge

County Clerk

CITY OF NORTH LOGAN

FAX (435) 762-1357

2076 NORTH 1200 EAST NORTH LOGAN, UTAH 84341 A (./ (435) 752-1310

CARY WATKINS, MAYOR

To: Cache

Cache County Executive

Nate and Andy's Quality Auto Sales

Fig. Co. Fr. By Jan D

JEFFREY M. JORGENSEN, P.E.

CITY ADMINISTRATOR, RECORDER

DEC 1 0 2008

EXECUTIVE

December 8, 2008

Dear Property Owners,

At a variety of times over the past three or four years, North Logan City and Hyde Park have tried to annex the area owned by Cache County near the Eccles Ice Center as well as the property on which now sits Nate and Andy's Quality Auto Sales. Both of the parties involved have even submitted letters and entered into other agreements requesting this annexation. For a variety of reasons, including changes in state laws regarding annexation, those requests for annexation by petition could not be processed.

Since that time, North Logan City has completed a new Annexation Policy Plan that indicates that about half of the County's land and all of Nate and Andy's property is to be considered for annexation into North Logan City; and the rest of the County land is to be annexed into Hyde Park. Due to the fact that the area where this property is located is not a "peninsula"; by state law the area can only be annexed through the petition process, i.e. at the request of the property owners, and then only if at least one-half of the property owners by size, and one-third of the property owners by value, agree to the annexation.

North Logan City is now prepared to proceed with the official annexation and to do so requests that the County and the owners of Nate and Andy's sign the attached petition for annexation. Once this is done we will have our engineers draw up the final annexation plat map and press forward with the rest of the annexation process.

The annexation petition normally requires the applicants' petitioning the city to provide a map, suitable for recording and prepared by a licensed engineer, showing the area to be annexed. In this case, North Logan City will be paying for that plat map to be drawn up. Please circle in the appropriate place indicating your desire to annex and sign the petition. Please return the petition, with your original signatures on it, in the enclosed envelope. If you have any questions please feel free to contact me at 435-752-1310, ext. 14.

Sincerely

Jeffrey M. Jorgensen, P.E.

City Administrator

19toh 2A-2

NORTH LOGAN CITY and HYDE PARK

Name and Address of	Tax	Agree to	Signatures
Owners	Identification #	Annex?	
		(circle	
		which)	
Cache County Executive	Parts of 04-058-		For Cache County
199 N Main Logan, Utah 84321	0008 & 0009 to North Logan	-	M. Juna Censon
Contact Sponsor of Petition	City, the remainder to		Lynn Lemon County Executive
	Hyde Park City per the attached map.		Date 4240
	All of 04-058-	Yes	N COUNTY !
	0032 to North Logan City.	No	Attest:
	_	fer hi	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$
	,	2119-13/	Jill Willingtownty Clerk
		fasoliting 2009-13/	7 0 0
		· ·	Date
Quality Auto Sales 2940 N. Main	All of 04-058-		For Quality Auto Sales; BDM, Inc.
North Logan, Utah 84341	0030 to North Logan City		
			Nathaniel N. Derring, Member Date
		Yes	
		No	Andrew S. Bentley, Member Date
			Larry W. Miller, Member Date

ANNEXATION TO THE CITY OF NORTH LOGAN CACHE COUNTY, UTAH PROPERTY



Atch 2A-4

NORTH LOGAN CITY and HYDE PARK

Name and Address of Owners	Tax Identification #	Agree to Annex? (circle which)	Signatures
Cache County Executive 199 N Main Logan, Utah 84321 Contact Sponsor of Petition	Parts of 04-058-0006 & 0009 to North Logan City, the remainder to Hyde Park City per the attached map. All of 04-058-0032 to North Logan City.	Yes No	Lynn Lemon, County Executive Date Attest:
Quality Auto Sales 2940 N. Main North Logan, Utah 84341	All of 04-058- 0030 to North Logan City	Yes	Nathaniel N. Derring, Member Date Andrew S. Bentley, Member Date Larry W. Miller, Member Date

Z828

NORTH LOGAN CITY

Name and Address of Owners	Tax Identification #	Agree to Annex? (circle which)	Signatures
Floyd W. Krebs & Rita S. 3089 N 1200 E North Logan, Utah 84341	All of 04-051-0014, 04-051-0016, 04-051-0018, Plus the west part of 04-051-0022 which is currently unincorporated	Yes No	Floyd W. Krebs Date Rita S. Krebs Date
Dan L. Cox & wife Sharon J. 2975 N 1200 E North Logan, Utah 84341	04-051-0045 - only the north part which is currently unincorporated	Yes No	Dan L. Cox Date Sharon J. Cox Date
Jeffery A. Lee & wife Janis M. 1030 E 2900 N North Logan, Utah 84341 Contact Sponsor	04-051-0048	Yes No	Jeffery A. Lee Date Janis M. Lee Date
Dale A. Swiss & wife Carolyn 1223 N Bedford Place Tucson, AZ 85715-5614	04-051-0047	Yes	Dale A. Swiss Date Carolyn Swiss Date
Barbara Berger Trust 2829 N 1200 E North Logan, Utah 84341	All of 04-051-0026,23 Plus the west parts of 04-051-0026 and 04-051-0028 which are currently unincorporated	Yes	For the Barbara Berger Trust Date South Border Border Trust Date For the Joseph Dewain Berger Trust Date

NORTH LOGAN CITY

Name and Address of Owners	Tax Identification #	Agree to Annex? (circle which)	Signatures	
Douglas P. Plowman & wife Heather G. 3455 N 1600 E North Logan, Utah 84341	04-048-0003	Yes No	Douglas P. Plowman Heather G. Plowman	Date Date
Kevin M. Ellsworth & wife Gina L. 395 E 1400 N #B Logan, Utah 84341	04-048-0004 (Annex portion of property east of the canal only)	Yes No	Kevin M. Ellsworth Gina L. Ellsworth	Date Date
Brian J. Richardson 3387 N 1600 E North North Logan, Utah 84341	04-048-0037	Yes No	Brian Richardson	Date
Mario & Maytee Clavel 3367 N 1600 E North Logan, Utah 84341	04-048-0006	Yes No	Mario Clavel Maytee Clavel	Date
Don A. Baker Etal 2700 Arizona Ave. Los Alamos, NM 87544- 1552	04-048-0008 & 0029	Yes No	Don A. Baker Date	Date
Daren & Emily Gehring 1007 E 2650 N North Logan, Utah 84341	04-182-0007	Yes	Daren Gehring Omily K. Gehring Emily Gehring	1-1-00 Date 1-1-69 Date
J. Clair and Karen O. Batty 3142 N. 1400 E. North Logan, Utah 84341	04-182-0008	Yes No	J. Clair Batty Karen O. Batty	Date

Atch 2D

NORTH LOGAN CITY

Name and Address of Owners	Tax Identification #	Agree to Annex? (circle which)	Signatures	
Douglas P. Plowman & wife Heather G. 3455 N 1600 E North Logan, Utah 84341	04-048-0003	Yes No	Douglas P. Plowman Heather G. Plowman	Date Date
Kevin M. Ellsworth & wife Gina L. 395 E 1400 N #B Logan, Utah 84341	(Annex portion of property east of the canal only)	Yes No	Kevin M. Ellsworth Gina L. Ellsworth	Date Date
Brian J. Richardson 3387 N 1600 E North North Logan, Utah 84341	04-048-0037	Yes No	Brian Richardson	Date
Mario & Maytee Clavel 3367 N 1600 E North Logan, Utah 84341	04-048-0006	Yes No	Mario Clavel	Date
Don A. Baker Etal 2700 Arizona Ave. Los Alamos, NM 87544- 1552	04-048-0008 & 0029	Yes No	Maytee Clavel Don A. Baker Date	Date Date
Daren & Emily Gehring 1007 E 2650 N North Logan, Utah 84341	04-182-0007	Yes No	Daren Gehring Emily Gehring	Date Date
J. Clair and Karen O. Batty 3142 N. 1400 E. North Logan, Utah 84341	04-182-0008	Yes No	J. Clair Batty Karen O. Batty	2/14/0 E Date 2/14/08 Date

Atch 2E

CITY OF LOGAN, UTAH **RESOLUTION NO. 09-75**

BE IT RESOLVED THAT THE LOGAN MUNICIPAL COUNCIL CONSENTS TO THE ANNEXATION BY NORTH LOGAN CITY OF LAND NEAR THE LOGAN-CACHE AIRPORT

WHEREAS, the Municipal Council of the City of Logan, Utah represents the citizens of Logan, Utah; and

WHEREAS, the City of North Logan has received petitions from Cache County Corporation and Quality Auto Sales requesting their land be annexed into North Logan City, and

WHEREAS, in accordance with Utah State Code 10-2-402, North Logan City may not annex an unincorporated area within 5,000 feet of the center line of any runway of an airport operated by another municipality unless the legislative body of that municipality adopts a resolution consenting to the annexation; and

WHEREAS, the land to be annexed is within 5,000 feet of the center line of the Logan-Cache Airport; and

WHEREAS, the Municipal Council of Logan City, Utah, concurs that the land referenced herein can and should be annexed into North Logan City.

NOW, THEREFORE, BE IT RESOLVED by the Council of Logan City, Utah, that the municipality consents to the annexation into North Logan City of the Cache County and Quality Auto Sales land as requested by these land owners, namely parcels with tax identification numbers 04-058-0008, 04-058-0009, 04-058-0032 and 04-058-0030.

THIS RESOLUTION duly adopted upon 20 day of October, 2009 by the following vote: Ayes: Puper Olson Juanson, manson, Quarte

Atch 3

Nays: we Absent: None

araine Swenson, Chair

ATTEST:

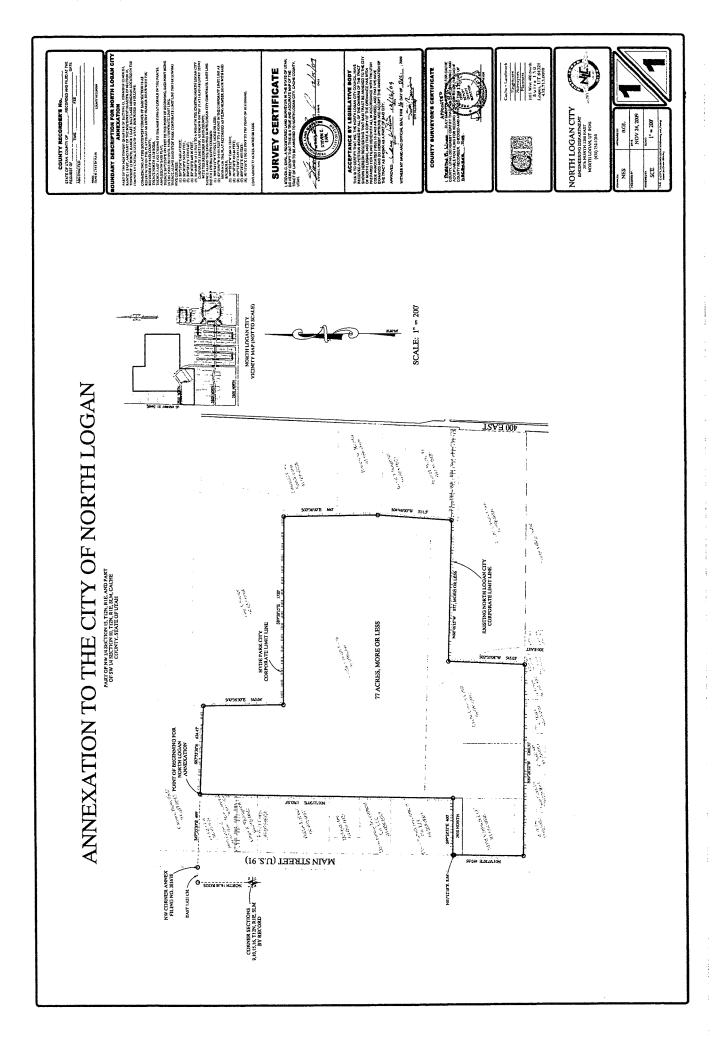
Teresa Harris, City Recorder

Original signed resolution is in my possession. I hereby certify this copy as if ... original.

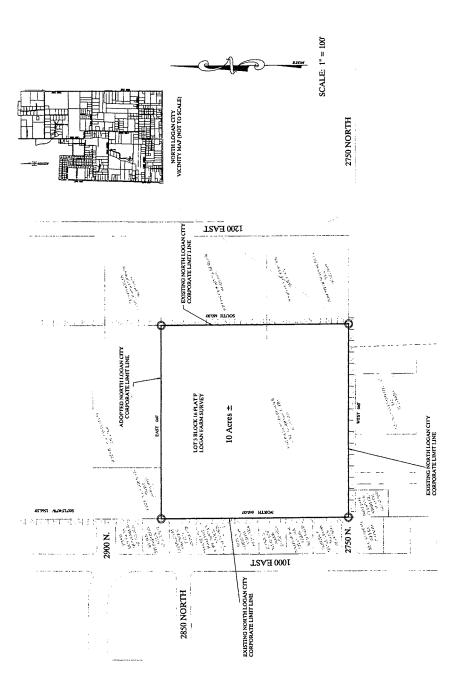
Scott Bennett

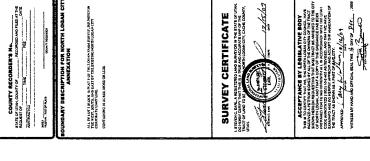
North Logan City Recorder

12/17/09



ANNEXATION TO THE CITY OF NORTH LOGAN CACHE COUNTY, UTAH







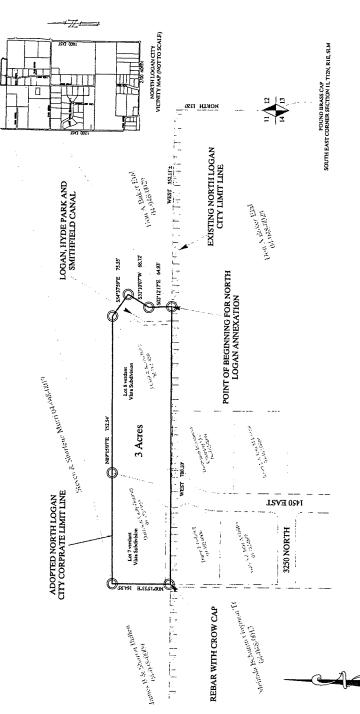






*		1	
KOL	NOV 24, 2009	1" = 100"	Abstract, and Justice
NES	Attoolie er.	SCE	The same and spinished addition absorberg and parties

ANNEXATION TO THE CITY OF NORTH LOGAN PART OF THE SE LA OF SECTION 11, TIZN, RIE, SLM, CACHE COUNTY, UTAH



CONDED AND FILED AT THE DATE COUNTY RECORDER'S No. STATE OF LINE COMMY OF THE COMMY OF ANT THE MENDAL PAPERATE

INDARY BESCRIPTION FOR NORTH LOGAN CITY ANNEXATION

The state of the s PART OF THE BOUTHEAST QUANTIFE OF BECTION 11. TOWNESS: 13 NORTH, HANDD 1 SAST, BALT LARE MEMBINA, LOCATED IN THE COURTY OF CACHE. STATE OF UITH, OBSCHINGED AS FOLLOWS:

SURVEY CERTIFICATE



THE THACT AS SYGNIN AS A PLATE OF SHOUTH.
APPROVED. LELEN BOLL THE SHOP SHOW IN THE SHOP OF





Ü



SCALE: 1" = 80'





NES

SCE SCE